IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.3526 OF 2004

Shri Rajendra Devchand Kamble, .. Applicant

vs

The State of Maharashtra, .. Respondent

Mr B.J.Bhatt, for the applicant.

Mr V.B.Konde-Deshmukh, APP for the respondent-State.

CORAM : D.B.BHOSALE,J.

DATE : 27th AUGUST, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The applicant is alleged to have filed a marksheet purportedly issued by All India Institute of Local Self-Government, Andheri, for getting promotion to the post of Sanitary Inspector in Mumbai Municipal Corporation. The said marksheet was forged and fabricated document.

3. Mr.Bhatt, learned counsel for the applicant, on instructions, states that I need not decide this application on merits and that the applicant is prepared to surrender on 30.8.2004. He further prays for liberty to the applicant to apply for bail after police custody gets over. Mr Konde-Deshmukh, learned APP, does not

oppose the prayer made by the learned counsel for the applicant.

4. I perused the entire material placed before me. Keeping in view the overall facts and circumstances of the case and the role played by the applicant and considering that he has already been suspended, I am satisfied that the following order would meet the ends of justice.

(a) This application is rejected.

(b) The applicant to surrender on or before 30.8.2004 and till then he shall not be arrested.

(c) Liberty to the applicant to apply for bail before the appropriate Court after his police custody gets over. If such application is filed same may be granted, provided the applicant co-operates with the investigation during his police custody.

. An authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)